

## **FISCAL NOTE**

### **HB 351 - SB 509**

February 26, 2007

**SUMMARY OF BILL:** Includes the provisions that a person who has attempted to support or visit a child but was prevented by the acts of others or circumstances beyond such person's control is not considered to have willfully failed to support or visit as such pertains to the definition of child abandonment within instances of adoption and foster care. A person who files a petition in a court of competent jurisdiction to gain custody of such person's child within a four month time period has demonstrated intent not to abandon such child. A parent who is appealing a termination of parental rights is authorized to continue such appeal after the one year deadline.

### **ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures - \$1,300,200**

**Other Fiscal Impact – Increase Federal Expenditures - \$721,300**

#### **Assumptions:**

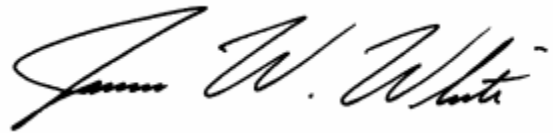
- Annually, there are 1,500 Termination of Parental Rights cases through the Department of Children's Services. It is estimated that 10%, or 150, of these cases will be impacted by the provisions of the bill.
- On average, the delay in the termination of parental rights will require an additional 120 days of state custody. For each additional day there will be an approximate increase of \$100 in expenditures per child. Such will increase expenditures by \$1,800,000 (150 cases X 120 days X \$100 per day).
- Of the \$1,800,000, seven percent (\$126,000) will be Title IV-E Federal funds; 45% (\$810,000) will be through TennCare; and \$864,000 in state funds.
- Of the TennCare funds, \$293,706 is state funds at a 36.26% match rate and \$516,294 is federal funds at a 63.74% match rate.
- The total increase in expenditures for additional days of children in custody is estimated at \$1,157,706 in state funds and \$642,294 in federal funds.
- The Department of Children's Services will need three additional case managers and one additional team leader which is estimated to increase expenditures by \$221,500 which includes \$177,500 for salary and

benefits and \$44,000 for communication, computer, travel and other expenses.

- Of the \$221,500, 7% (\$15,505) will be Title IV-E Federal funds; 45% (\$99,675) will be through TennCare; and \$106,320 in state funds.
- Of the TennCare funds, \$36,142 is state funds at a 36.26% match rate and \$63,533 is federal funds at a 63.74% match rate.
- The total increase in expenditures for additional staff is estimated at \$142,462 in state funds and \$79,038 in federal funds.

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director